

## SPoonER HOTLY SCORES TILLMAN

Tells Him the President Needs No Defence From Him.

## QUOTES FROM HIS RECENT SPEECHES

Says "That It Is a Crime to Encourage" Lynching and Race Riots—Tillman Gives

Notice That He Will Apply to "Insulting Allusions."

WASHINGTON, January 15.—Goaded by frequent interruptions from Mr. Tillman, the speech of Mr. Spooner in the Senate today, on the resolution for the investigation of the affair at Brownsville, was changed from a constitutional argument in defense of President Roosevelt's course in discharging a negro battalion from the army to a severe arraignment of the South Carolina Senator. He quoted from Mr. Tillman's utterances defending lynching as a means of controlling negroes, and said that to encourage such mob violence was a disgrace to civilization.

Mr. Tillman was not permitted to reply to this criticism at the time, but at the conclusion of Mr. Spooner's attack declared that at an early date he would take occasion to defend himself against the "insulting allusions" made by Mr. Spooner.

The bitter feeling provoked by the controversy between the Senators makes it impossible to say when a vote can be had on the resolution. It is expected debate will now be extended.

Mr. Spooner took the position that Article 4 of the Articles of War gives to the commander-in-chief of the army the power to dismiss the troops in the manner employed. He referred to the affair at Walla Walla, Wash., during President Cleveland's administration, and said that the investigation of that disturbance resulted in a recommendation that the four companies involved be dismissed. He said that the only reason these men were not dismissed was because there was then no authority for such action. The order providing for dismissal "without honor," said Mr. Spooner, was made to meet just such cases.

After Bacon. "I never heard until yesterday," said Mr. Spooner, "that the President had not the power of sending forces where he chose. I never heard that that was not part of the power of command until this was proclaimed yesterday by the Senator from Georgia" (Mr. Bacon).

The point was made by Mr. Spooner that the Constitution does not say that Congress has the power to govern the military forces, but to make rules for the government of the army. He claimed that the words "to make rules" meant that the enforcement of the regulations for the government of the army rests absolutely with the President.

Mr. Spooner declared that Mr. Bacon's position was in utter disregard of the Constitution itself, that absolute power has to be lodged in the government somewhere and in the case under discussion this absolute power had been divided between the President and Congress. He said the question of whether negro soldiers had been discharged from the army by an order not in accord with the President's constitutional authority could be tested any day. These men may be sent into the Court of Claims and sue for their pay and there test the constitutionality of their discharge.

Messrs. Spooner and Bacon agreed that there are statutory provisions authorizing the President to take the course he did, and Mr. Spooner said it was not necessary, therefore, for him to say whether the Constitution empowered him to discharge soldiers for the causes provoking the dismissals at Brownsville.

Question of Hands. Discussing the great discretionary power placed in the hands of the President, as commander-in-chief of the army and navy, Mr. Spooner said that he agreed that in bad hands that power might protect the vilest of murderers, the most dangerous assassins, but it was necessary to locate this great authority somewhere, and it was thought best to trust the responsibility of the executive to the people.

"If the President abuses his privilege," said Mr. Spooner, "it is his oath of office, this is not the place to question his course. The method for his punishment is provided for through the other end of the Capitol."

Mr. Spooner said he wished the procedure in discharging the negroes had been different. If a court of inquiry, where all of the soldiers could have been examined and the witnesses against them or for them cross-examined, Mr. Tillman sought recognition, but Mr. Spooner first undertook to learn the length of the question he proposed to

## EVERYBODY TESTIFIES

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ask. Mr. Spooner had criticized the course of the officers of the battalion, and had spoken of the President's confidence in Major Penrose.

"I'll make my question like a bullet," said Mr. Tillman. The question was as to why the President had not adopted Major Penrose's recommendation for the firing of the guilty.

"The President of the United States will never require any defense from the attacks of the Senator from South Carolina," was Mr. Spooner's reply. "He has developed a mania for attacking the President. I did not intend to branch off on such a discussion, but I have never been so surprised by any man's attitude as I have by that of the Senator from South Carolina."

Hot After Tillman.

The South Carolina Senator was then subjected to one of the most direct and stinging indictments ever delivered by a Senator against a colleague. Mr. Spooner quoted from Mr. Tillman's utterances defending the burning of negroes at the stake, and said:

"No man ought to encourage such a horrible thing as that. It is a crime against civilization to encourage it."

Continuing, he said he had looked with admiration upon the efforts of Governor Yardman and other executives of Southern States to suppress mob seeking the lives of negroes without giving them trials on account of the crimes they were suspected of having committed.

"I have been shocked," he said, "by the attitude of the Senator from South Carolina on more than one occasion, when he has spoken here and in justification and support of the continuance of lynching. If there is one man who ought not to encourage it, it is the man who sits here as the maker of laws."

Declining any intention to abuse Mr. Tillman, the Wisconsin Senator said it was his purpose only to make a hole for good government. He said he had not intended to be led into such a discussion, but had been goaded to it by Mr. Tillman's attack.

"And I want to say here," he continued, "that any man who encourages lynching, murder and lawlessness will have much to answer for, and the higher his position and the mightier his influence, the more will he have to answer for. No man can come here with good grace to impeach the President for his dismissal of men because they were not identified as criminals who come to that accusation from a lynching bee or who justify one."

Tillman Will Reply.

Mr. Spooner concluded his speech with a brief discussion of the race question, declaring his belief that the majority of the people of the South did not entertain the radical views which had been expressed by Senator Tillman. He admitted the difficulties and hardships of the race problem in the South, and said the people of the North felt the best way to aid in the solution of these difficulties was for them to refrain from discussing them.

In this connection he did not believe the agitation of Senator Tillman could have the effect to quiet the situation. Mr. Spooner quoted a newspaper report of one of Senator Tillman's lectures, in which he referred to negroes as baboons, and said, when asked "How about the law?" replied "The law is a good law."

When Mr. Spooner took his seat Mr. Tillman remarked that he had expected to have a few words to say to the Senator from Wisconsin. "In view of the direct personal attack he has made on me this afternoon, and the latter part of his speech has widened the latter part of the reply I wish to make, and therefore I will take occasion in the near future to have something to say on this question and in answer to some of the insulting allusions he has made."

For Farmers' Benefit.

HENDERSON, N. C., January 15.—The Vance county Mutual Fire Insurance Association held its annual session at the courthouse on Saturday, the 12th instant, and business was satisfactorily transacted. The members of the association are leading farmers of the county. It was chartered in 1895, but some six years ago it was reorganized and the late Mr. J. B. Bader, the supervisor of the State. Officers are: James Amos, president; T. T. Hicks, secretary and treasurer; R. P. Cunningham, agent, with supervisor for each township. During the year 1906 no loss by fire occurred.

HANGS HIMSELF IN CELL.

Negro Held on Vagrancy Charge Attempts to Take His Life.

WILMINGTON, N. C., January 15.—Hanging by his neck a negro prisoner in the station-house here was discovered this afternoon just in time for his life to be saved. When a negro Indian sailor, broke off his cell hammock rope and fastened it to the highest bar of the cell, and would have succeeded in strangling himself, and would have succeeded in strangling himself, and would have succeeded in strangling himself.

NO AGREEMENT.

Committee of Machinists Has a Successful Trip.

SPENCER, N. C., January 15.—A committee representing the International Association of Machinists, which went to Washington a few days ago to confer with Southern Railway officials concerning the retention of non-union workmen in the Southern's service, returned to Spencer yesterday without having reached an agreement in the matter. It is stated that another visit to the main offices of the Southern will be made this week in order to adjust the matter. The union machinists demand the removal of the foremen who remained on duty during the general strike last October.

SOCIAL FAVORITE WEDS.

Miss McNeely Becomes Bride of Captain Wallace B. Seales.

SALISBURY, N. C., January 15.—Cards have been received here announcing the marriage of Miss Fannie Miller McNeely, daughter of Mrs. J. B. McNeely, and a great favorite in Salisbury, to Captain Wallace B. Seales, of the Fifth Regiment, United States Cavalry. The marriage will take place in the early spring at Fort Riley, Kan. Both young people are well known and highly esteemed here.

## SIMMONS AGAIN CHOSEN SENATOR

North Carolina Legislature Pays Him Notable Tribute—Judge Clark Proposed.

## LOBBYISTS MUST REGISTER

Bill Offered Which Will Enable Members and Public to Know Who Advocates Are.

(Special to The Times-Dispatch.) RALEIGH, N. C., January 15.—In the joint caucus of the members of the House and Senate of the General Assembly to-night F. M. Simmons was nominated to succeed himself in the United States Senate, the formal election by the Assembly to be held January 23d, when Spencer B. Adams, chairman of the Republican State Executive Committee, will be his opponent. The vote for Adams was merely complimentary by the Republican minority. Representative Winborn, of Hertford, was chairman of the joint caucus to-night. Simmons was placed in nomination by Senator N. A. McLean, of Lumberton, and seconded by Representative R. A. Doughton, of Allegheny, and Thomas W. Blount, of Washington.

Representative J. A. Lockhart, of Anson county, placed in nomination Chief Justice Walter Clark, of the Supreme Court. The vote was by roll-call—130 for Simmons and 4 for Clark. Those voting for Clark were Senator Reid and Representative

Lockhart, Johnson, of Caswell, and Sharpe. The strenuous efforts to detain his daughter and prevent the marriage, but was too late. A message from the young couple informed the parents of the bride of the marriage.

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